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TO

Amend the Law relating to the Drainage and Improvement of Land in Ireland. A.D. 1890.

**B**E it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. This Act may be cited as the Drainage and Improvement of Land (Ireland) Act, 1891. Short title.

2. This Act shall extend to Ireland only.

3. Where, in the case of any land included in any drainage district proposed to be constituted pursuant to the provisions of the Drainage and Improvement of Land Act (Ireland), 1863, and the Acts amending the same (which Act and the Acts amending the same are herein-after referred to as 'the said Acts'), the proprietor of the said lands and the person occupying the same as tenant shall so agree, such tenant shall for the purposes of the said Acts be substituted for the proprietor of the said lands. Application of Act.  
Tenant may by agreement be substituted for proprietor of land in drainage district.  
26 & 27 Vict. c. 88.

4. If, within the time limited for making objections to the report of the inspector sent by the Board of Works to make inquiries respecting the proposed formation of any drainage district pursuant to the provisions of the said Acts, the proprietor of any land included within the proposed district dissents from or does not assent to the formation of such district, the person occupying such land as tenant may apply to the Board of Works to be substituted for the proprietor for the purposes of the said Acts; and if, after the Board of Works have served on the said proprietor notice of the said application, the said proprietor does not within a period to be prescribed by such notice assent to the formation of the district, the Board of Works, after hearing any objection made by the said proprietor, and any other person having any estate or interest in the land, and on its appearing to them— Tenant may be substituted for proprietor by Board of Works in certain cases.

(a) that the drainage works proposed to be executed will effect immediately or prospectively an increase in the annual value of the said land proportionate to the sums likely to be charged [Bill 66.]

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thereon in respect of the cost of the said works and the maintenance and repair thereof; and

- (b) that the amount likely to be charged on the said lands as aforesaid, or a substantial part thereof, is likely to become payable during the continuance of the tenancy under which 5 the person occupying the said lands as tenant holds the same, and having regard generally to the justice of the case, may, if they think fit, by order direct that such tenant shall, for the purposes of the said Acts, be substituted for the proprietor of the said lands.

Tenant substituted for proprietor to have the rights and liabilities of proprietor.

5. Where in pursuance of this Act the tenant of any lands is 10 substituted for the proprietor thereof for the purposes of the said Acts, such tenant, and every person in whom the tenancy under which such tenant holds the said lands at the time of such substitution is for the time being vested, shall, for the purposes of the said Acts, during the continuance of such tenancy, and in 15 respect of the said lands, be vested with all the rights and be subject to all the liabilities and obligations of a proprietor; and the proprietor shall, during the same period, be divested of such rights and exempt from such liabilities and obligations; but on the determination of the said tenancy the proprietor shall become 20 vested with and subject to all such rights, liabilities, and obligations as aforesaid.

Definition of "tenant" and "tenancy." 44 & 45 Vict. c. 49.

6. For the purposes of this Act the words "tenant" and "tenancy" shall have the same meaning as in the Land Law (Ireland) Act, 1881, and the provisions of that Act respecting the 25 determination of a tenancy shall apply in the case of a tenancy to which the provisions of this Act are applicable.

Mode of service of notices.

7. The notice required to be served on the proprietor of any lands in pursuance of the provisions of the fourth section of this Act may be served in like manner as the notice to proprietors 30 referred to in the first sub-section of the sixth section of the Drainage and Improvement of Land Act (Ireland), 1863, is therein required to be served: Provided that where any notice is served on the agent of the person required to be served pursuant to the provisions of the said Acts, or of this Act, such service need not be 35 personal, but may be effected on such agent by leaving the notice at the usual place of abode or at the office or place of business of such agent, or by forwarding the same by post in a prepaid letter addressed to the usual place of abode or the office or place of business of such agent. 40

This Act and former Acts to be read together.

8. The said Acts and this Act shall be construed together as one Act, and may be cited as the Drainage and Improvement of Land (Ireland) Acts, 1863 to 1891.

